

GAME.

Wild Ducks, per doz. \$1.50. Plover, per dozen, 50 cents.

FRESH FISH.

Mullet, per dozen, 37 to 50c. Craw fish, each 6 1-4 cts.
Other fish, per lb. 3 to 6 c. Shell fish, per peck 25 c.

VEGETABLE MARKET.

Irish Potatoes bbl. 82 to 3. Valparaiso Beans, 50 c.
Sweet do. 75 cts. to \$1.25. Lettuce, per head, 3 cts.
Yams, per bbl., 82. Squashes per hund. 85 to 10.
Onions, per do. 4. Cabbages, per hund., 50c.
Dried Beans do. 3 to 4. Green Corn, doz. ears 12 1-2
String do. per peck 50 c. Cucumbers, doz. 6 cts.
Tomatoes, do. do. 25 c. Kalo, doz heads, 12 1-2 to 25.
Green Peas do. do. 50 c. Bread Fruit, doz. 30 cts.

FRUIT.

Bananas, bunch 12 1-2 to 25c. Mangos, per doz. 50 cts.
Citrons per doz. 50 cents. Oranges, per hundred \$1.
Cherimoyas, doz. 50 cts. Peaches, per doz. \$1.50.
Cocoa-nuts, do. 50 cts. Pine Apples, per doz. 25c.
Figs, per peck, 82. Papaw, each 3 cts.
Guavas, per peck 25 cts. Strawberries, per qt. 50c.
Gooseberries, do. 25 cts. Tamarinds, peck 25 cts.
Granadillas, each 12 1-2 c. Fijii Tomatoes, -
Grapes, per lb. 6c to 12 1-2. Water Melons, ea. 6 to 12 1-2
Limes, per hundred 25c. Musk Melons, each 2c to 6.

[By Authority.]

Before the GOVERNOR OF OAHU, assisted by Hon.
G. P. JUDD and J. RICORD, Esq., H. H. M.
Att'y General, at the Fort, Sept. 4, 1844.

JOHN WILEY, PLAINTIFF ON APPEAL vs. THE
HAWAIIAN GOVERNMENT.

¶ This was an appeal from the judgment of the
Inferior judges of Honolulu. The present plaintiff
in Error had been charged before the court below,
with the commission of a rape upon the body of
—, an Hawaiian girl, a subject of His
Majesty; and proof having been adduced to the sat-
isfaction of the Inferior judges, they condemned the
present plaintiff in Error to pay the statute fine of
\$50. This fine the plaintiff having paid, he appeal-
ed to the Governor, and demanded a jury under the
Hawaiian statute law, compelling therewith by de-
positing the sum of \$25, required by the statute to
entitle him to a jury. The Governor having given
the usual notice of drawing the jury of appeal, he
proceeded, on the day appointed, to draw the mixed
jury of half Hawaiian subjects and half foreigners,
required in such cases by the printed statute law.
In the interval William Hooper Esq. claimed for his
government the right of selecting and proposing to
the Governor an entire pannel of foreign jurors, to
try the accused for the crime charged against him,
which the Governor declined, on the ground that he
was governed in his administration of justice by the
printed law of the land, and that there was no treaty
extant, between His Hawaiian Majesty and the
United States of America, which authorized him to
deviate from the statute.

On the day of trial above named, the plaintiff
Wiley appeared by his attorney, Richard Ford, and
in person, and expressed his readiness to proceed to
trial, but before the jury were actually empanelled
William Hooper Esq., U. S. Vice Commercial Agent,
appeared before the court, and made and desired
to have entered on its minutes the following
protest:—

"Before the court proceeds to the trial of Mr.
Wiley I beg to state that by a treaty entered into
between this government and that of Great Britain,
on the 12th February last, the subjects of the latter
were secured in the privilege of being tried, when
charged with crime against the laws of this country,
by a jury appointed by their Consul, that I claim, in
virtue of the assurance given to Mr. Brown, the U.
S. Commissioner, by His Majesty the King in Octo-
ber last, which secured to citizens of the U. S.
equal privileges with those of the most favored na-
tion, that Mr. Wiley, the defendant, is entitled to a
jury appointed by me, as acting U. S. Consul.

"The court, as at present constituted, I protest
against, and request that it may be entered on the
records of the court,
WM. HOOPER.

"Acting U. S. Consular Agent.

"Honolulu, Sept. 4, 1844."

Upon which protest the court decided as follows:—

"The decision of this court upon the protest of
William Hooper, Esq., Vice Commercial Agent of
the United States, now entered on the minutes, is,
that there is a law in the statute books of this gov-
ernment, which the accused is charged with having
violated, and that at the time of violating that statu-
te there was and still is, also in the statute book a
law regulating the drawing of juries in the Hawai-
ian Islands, which is obligatory upon this court. This
court knows of no treaty extant with the United
States, that authorizes it, under the oaths of the
judges, to depart from the law concerning juries,
and, it cannot conscientiously take cognizance of
any diplomatic correspondence between the Secre-
tary of State for Foreign Affairs and the resident
ministers of other powers; nor is this court authori-
zed to look into treaties with other powers for the
purpose of according analogous privileges to a na-
tion not actually in treaty with His Hawaiian Majes-
ty; especially when according them would infract a
statute law by which this court is clearly bound.

"The plaintiff, John Wiley, is under the protec-
tion of this court, who are bound to give him the
chances of the jury box, and not suffer a foreign con-
sul to pack a jury who might be selected to convict
him."

Hereupon, before the jury were actually sworn,

the U. S. Vice Commercial Agent advised the plain-
tiff to withdraw his appeal, which he accordingly did,
and the court thereupon nonsuited the plaintiff, and
decided that his withdrawal was, in law, tantamount
to an affirmation of the judgment of the Inferior
judges, which had been already satisfied, and they
further adjudged the plaintiff to have forfeited the
\$25 deposited for drawing the jury of appeal. The
court intimated that William Hooper, Esq. was lia-
ble to the plaintiff in Error for having misguided him
in a manner prejudicial to his private rights, and
left him to his remedy.

Before His Excellency M. KEKUANAOA, Chancel-
lor of Oahu, assisted by Hon. G. P. JUDD, and J.
RICORD, Esq., H. H. M. Att'y. General.

JULES DUDOIT vs. HENRY SWINTON.

¶ Sept. 3d, at 10 o'clock A. M., the Court
met pursuant to adjournment, and the plaintiff hav-
ing produced and proved his Note for \$538 84 1-2
bearing interest from maturity, the Court
computed it at - - - - - 43 10

And the defendant by his Attorney Dr.
T. C. B. Rooke, having proved to the
satisfaction of the Court that certain
items of offset ought to be allowed him
on that Note, amounting in the whole to 92 50

The Court decree to be due the plaintiff,
on his Note, - - - - - \$489 44
for which the mortgaged property is liable, with in-
terest at 12 per cent. from this day, to be levied on
execution.

And it further appearing that the mortgage of the
plaintiff, given by the defendant to secure the above
Note, is valid, and that it is the sole mortgage on
the Nuuanu property, owned as a leasehold estate
by the defendant, and that it is the second mort-
gage given by the defendant upon the "World's
End," in Honolulu.

It is decreed that the first named property is
hereby foreclosed, to be sold on execution, for the
payment of the plaintiff's demand, subject to the
rights of the original lessor. And that the second
named property is hereby also foreclosed to be sold
on execution for the payment of the plaintiff's de-
mand, subject to a mortgage held by Hiram Grimes,
merchant, the validity of which is disputed by the
plaintiff in this action, on the ground that the mort-
gage to said Grimes, originates in an obscure trans-
action, is without witnesses, and is of suspicious
origin: subject also to the rights and claims of Wil-
liam Hughs, who alleges himself, and not the de-
fendant, to have been the real owner of the
"World's End," at the time of the making of both
of said mortgages. The Court in passing this de-
gree of foreclosure, leave the question of Hughs'
ownership to be settled whenever said Grimes shall
move to foreclose his mortgage, which purports to
be first and for a sum sufficient in the estimation
of the Court, if found valid, to absorb the entire
value of the "World's End."

The costs of this application shall form part of the
decree of this Court, payable by the defendant,
amounting to the following items. For advertising
foreclosure, three insertions in the Polynesian, \$ 6
For attendance and decree, - - - - - 20

\$26

M. KEKUANAOA.

Imports.

Sept. 1.—VALPARAISO;—per Delaware—6 cs.
10 bales merchandize, 63 bbls. beer, 52 boxes claret,
20 boxes champagne, 33 jars oil, 4 bbls. varnish, 2
cases 42 bbls. beef, 100 kegs paint, 2 bundles saws,
5 bbls. coal Tar, 2 bags nuts, sauce pans; C. Brewer
& Co. 2 cases merchandize, H. Skinner & Co. 18
bbls. beer, 17 jars oil, 6 cases 1 bale merchand-
ize; E. & H. Grimes. Also, naval stores for the
English squadron.

Passengers.

Per ship John Jay, for U. S. Mr. G. W. Whistler,
Mr. Gay.

Latest Dates.

From London, March 12—Paris, March 10—
United States, (New Orleans) April 26, (Boston)
April 10—(New-York) April 11—Mazatlan, May
30—Society Islands (Tahiti) Aug. 19, China, Jue. 14.

SHIPPING INTELLIGENCE
FOR THE PORT OF HONOLULU.

1844.



ARRIVED.

Sept. 1—Am. brig Delaware, Carter, 43 days
from Valparaiso.

Sept. 2—Sardinian man-of-war brig L'Eridano,
(14 guns) Comte de Persano captain; 18 days from
Tahiti.

Sept. 3—Am. whale-ship John Jay, Rogers, Sag
Harbor 19 mos; 500 sp. 4500 wh.—bound home.

Sept. 3—Am. whale-ship Copia, Taber, New
Bedford 22 mos; 200 sp. 3200 wh. 16,000 lbs bone.

Sept 3—Mary & Martha, Coffin, Plymouth 38
months; 400 sperm. Sailed 4th instant

SAILED.

Sept. 4—Am. brig Lafayette, Winchester, Ha-
waii.

Sept 4—H B M ship Carysfort, Lord George
Paulet; for Hilo

Sept 4—Am whale ships John Jay, Rogers; and
Copia, Taber, for New Bedford.

PORT OF LAHAINA—MAUI.

ARRIVED.

Aug. 22, Am. bark Pleiades, Russel, Sag Harbor,
20 mos, 200 sperm, 1900 w, 12000 bone

Aug 23, Am bk George, Williams, Stonington, 14
mos, 200 s 2000 w, 17000 bone

Aug 26 Am ship Cabinet, Noyes, Sonington, 16
mos, 23 s, 2550 w, 23000 bone

Aug 27 ship Tuscan, Goobie, Sag harbor, 22
mos, 3000 w

Aug 29 Am ship St George, Thomas, N B, 13
mos, 50 s, 3250 w, 33000 bone

Aug 30 Am ship Columbus, Fish, Fairhaven, 9
150 s, 1000 w, 12000 bone Am ship Columbus,
Crocker, N L, 10 mos, 700 w, 4000 bone

Aug 31 Am ship Isaac Howland, Fisher, N B, 14
mos, 100 s, 3400 w, 32000 bone—Friend.

ADVERTISEMENTS.

In Chancery.—ORDER No. 5.

Before the GOVERNOR OF THE ISLAND OF OAHU,
acting as Chancellor in and for said Island.

WM. FRENCH and FRANCIS J. GREENWAY,
embarrassed debtors vs. their creditors.

THE above named William French an Ameri-
can citizen, sole responsible partner of the late
firm of Francis John Greenway, acting in conjunc-
tion with William Miller, Esquire, H. B. M. Con-
sul General, committee of Francis John Greenway a
British subject, pronounced insane by a jury of en-
quiry on the 9th day of May last, having applied to
me the undersigned Chancellor for relief in his pec-
uniary embarrassments, and having on the 3d day
of this present month made a full, free and unreser-
ved assignment to this court of chancery for the ben-
efit equally of all his creditors and of all the credi-
tors of Francis John Greenway jointly with and sev-
erally from him, and having prayed the court to as-
sume his and his said partner's debts to the full ex-
tent of all his joint and several property, and dis-
charge them forever therefrom.

It is hereby ordered that this court, considering the
said assignment to be bona fide and full; and con-
sidering the equitable relief which in all countries is
extended under such circumstances to embarrassed
or insolvent debtors, do hereby assume the payment
of the just debts of said French and Greenway both
joint and several, to the full extent of all their prop-
erty; and do hereby decree the said debts, in con-
templation of law, fully and forever discharged, and
they the said French and Greenway no longer liable
to any of their creditors for their debts contracted
anterior to the date of this discharge, hereby declar-
ing that the courts of this nation will not assume
jurisdiction thereof against them or either of them.
And all persons are enjoined from interfering in any
way with assets of said estate now assigned to this
court.

And it further appearing from the petition of said
William French, that he and his said partner are
dependent upon this court for the means of subsis-
tence during the time allowed for the liquidation of
their said affairs, and that they pray for a suitable
allowance for their support.

It is ordered that the sum of One thousand five
hundred dollars per annum be and the same is here-
by set apart for the maintenance of said William
French out of the assets assigned by him to this
court to be paid to him quarterly, from the
date of this decree in advance upon his order in
writing drawn upon the Governor of Oahu; and fur-
ther that the yearly sum of five hundred dollars be and
the same is hereby in like manner set apart for the
maintenance of the said Francis John Greenway in-
sane, payable to the written order of his committee,
William Miller, Esquire, H. B. M. Consul General,
or to his substitute for the time being.

And because in the equitable discretion of this
court it is necessary that receivers one or more be
appointed to take charge of, receive, and, with the
specific order of this court from time to time, to dis-
pose of, to the best advantage, any and all the prop-
erty assigned in trust to this court by the said Wil-
liam French as aforesaid.

It is hereby further ordered that William Paty
an Hawaiian subject, & Francis Johnson and William
French, American citizens all of Honolulu be and
they are hereby jointly appointed such receivers,
amenable, removable, and at all times controllable
by this court, and that they shall each receive a just
and reasonable compensation in the discretion of the
court for their services as such, on the day of
passing the final decree for the payment of the debts
of said estate.

And because it is necessary that the court do ap-
point some trusty agent to sue for and collect the
debts due to said estate, and to be sued by the credi-
tors thereof within the time allowed by this decree.
It is hereby further ordered that John Ricord,
Esquire, His Hawaiian Majesty's Attorney Gener-
al, be and he is hereby appointed such agent of this
court for all the purposes last aforesaid, fully au-
thorizing and empowering him, to appear in any
court in His Majesty's Dominions, and there prose-
cute all actions brought by him in favor of said es-
tate, and to defend all suits brought by any person
or persons against him on account of said estate,
and that this court will assume the payment of all
sums recovered against him as agent as aforesaid,
wholly or pro rata, on the day of the final decree in
this cause to the extent of the assets of said estate.

And it is also ordered that said agent do cause
public notice to be given of this his appointment in
some public newspaper in the Hawaiian, French and
English languages, as well as a notice to all credi-
tors or claimants of said estate to present their de-
mands on said estate against him, and if need be to
prosecute him for the recovery of the same, within
six calendar months from the date of the first publi-
cation of said notice or that in default thereof they
be forever barred.

Done at Honolulu, this 4th day
of September, 1844.

M. KEKUANAOA.

AUCTION!!

THE Auction Sale of last Thursday, will be con-
tinued on Monday next, the 9th inst. at 10
o'clock, at the store of Messrs. C. BREWER & CO.
The sale will consist of—Chaises, Elephant Cloths,
Clothing, Shawls, Fancy Hdks., Scarfs, Muslins,
Cambrics, Mousse de laines, Tobacco, Windows—
complete, Bedsteads—corded, sacking and windlase,
Paints, Earthen Ware, Dinner and Tea Sets,
Trunks, hams, black hats, Tin ware, hand-cart,
Moscheto Netting, and a variety of other articles.
Sept. 7.

WM. PATY, Auct.

For Sale.

20 BELLS, Tar, 1500 feet Oars, Solar Lamp,
Wicks, 30 tins hard Crackers, 10 bbls. Peas,
7 hanging Lamps, 4 Astral do., 5 doz. Ink Stands,
5 doz. cane Chairs, 1-2 doz. do. rocking do.
Sept. 7.

E & H GRIMES

Per brig Delaware.

JUST received, per brig Delaware, from Valpa-
raiso, T. red and fancy Prints, Saddles, boiled
Linsed Oil, in zinc jars, Scotch Plaid Hdks., 72
doz. Ale,—for sale by
Sept. 7.

E. & H. GRIMES.

ALBERT E. WILSON,
GENERAL COMMISSION MERCHANT,
ASTORIA,
MOUTH OF COLUMBIA RIVER,
OREGON.

¶ Offers his services for the sale of Merchandize,
and purchase of the Produce of the country.

Refer to—Messrs. C. BREWER & Co.

(ag31 tf)

For Sale at this Office,

HISTORY of the Hawaiian or Sandwich Islands,
1 vol. 8vo.—with a map and 24 plates. By
JAMES J. JARVIS. Also—by the same author—
*Seas and Scenery in the Sandwich Islands, and
A Trip through Central America*, with steel plates
and map. Vol. 1—First Series of the Polynesian—
1840-41. tf Aug. 24.

CANTON HOTEL.

THE undersigned having taken the premises
formerly known as the "Warren Hotel,"
begs to assure the public that he has spared no ex-
pense in fitting up the same for the comfort and
convenience of residents and visitors, and solicits a
share of the public patronage.

BILLIARD ROOM and newly fitted BOWLING
ALLEYS attached to the premises.

The services of superior Chinese Cooks and
Waiters have been secured.

Residents may have their meals sent to their
homes, or pic-nic parties provided for at the shortest
notice.

BREAD and PASTRY made at the establish-
ment, constantly on hand, and will be supplied in
any required quantity.
Aug. 24. HUNGWA. tf

Dissolution of Copartnership.

THE Copartnership heretofore existing under
the firm of VINCENT & WILEY, is, by mu-
tual consent, this day dissolved. The business
of the late firm will be settled by either of the sub-
scribers.
C. W. VINCENT,
JOHN WILEY.

¶ C. W. VINCENT will continue the CAR-
PENTER'S business, in all its branches, at the old
stand of Vincent & Wiley, and solicits a continuance
of the patronage of his friends and the public gen-
erally.
4w Aug. 22.

Notice

IS hereby given to all persons wanting employ-
ment, that the Treasury Board will negotiate
for gathering Salt at the Lake in Moanalua, on
Shares. The Lake is now full of salt, and it is only
to be gathered and taken to the beach. Apply to
JNO. R. von PFISTER.
Treasury Office, Aug. 29, 1844.

For Sale.

GEORGE PELLY & GEORGE T. ALLAN
have received per the barque "Brothers,"
just arrived from the Columbia River, and offer for
sale,—107,000 feet of superior Lumber, of different
dimensions, from 1 inch to 5 inches, and assorted
lengths, from 9 feet to 30 feet; 300 bbls. super ex-
tra Flour—just ground; 300 do. of the highly prized
Columbia River Salmon; 10 rolls Sh't Lead. (a31)

For Boston.

THE coppered and copper-fastened Brig
GLOBE, J. DOANE, will load for the above
port. She is well calculated for carrying Oil.

For freight or passage, having good accommo-
dations, apply to the master, on board, or to
Aug. 10. LADD & CO.

Notice.

ALL PERSONS are hereby cautioned against
trusting any of the crew of the British ship
Wm. Ackers, as no debts of their contracting will be
paid by the master or consignee.
Honolulu, Aug. 12, 1844. tf

For Sale.

THE HOUSE and premises owned and for-
merly occupied by A. H. Fayerweather.—
For further particulars, enquire of
Aug. 10. EDWARD C. WEBSTER.

Chronometer.

A GOOD Chronometer for sale, apply to C.
BREWER & CO. Aug. 16.

For Hawaii.

THE American Brig LAFAYETTE, Win-
chester master, will hereafter run between
this port and Hawaii, touching at Maui,
should sufficient freight offer. For freight or pas-
sage, apply to WILLIAM FRENCH, or the master
on board. tf Aug. 31.

Columbia River Salmon, Flour, &c.

JUST RECEIVED by E. & H. GRIMES, and
now landing from brig "Chenamus," the fol-
lowing articles, which are offered for sale on the
most reasonable terms:—

182 bbls. Columbia River Salmon; 11 bbls. new
Flour; 56 M. Shingles; 8000 M. N. W. Pine; 2
bbls. Peas; 1 bbl. H. Nuts; 1 bbl. Butter.
Aug. 31.